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ZURICH AMERICAN INSURANCE COMPANY

14 (erroneously sued as "American Zurich Insurance Company")

15 UNITED STATES DISTRICT COURT

16 IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA

17 SAN FRANCISCO

18 CORA BUCKLIN and VIRGINIA L. )  
BURTON, individuals, on behalf of themselves, )  
19 and on behalf of all persons similarly situated, )

20 Plaintiffs,

21 v.

22 AMERICAN ZURICH INSURANCE )  
COMPANY, an Illinois Corporation, )

23 Defendant. )  
24 )

Case No. CV 11-1348 SI

25 ) **STIPULATION AND [PROPOSED]**  
26 ) **ORDER TO TRANSFER VENUE TO**  
27 ) **THE CENTRAL DISTRICT OF**  
28 ) **CALIFORNIA PURSUANT TO 28 U.S.C.**  
 ) **§ 1404(a)**

Complaint Filed: March 21, 2011

First Amended Compl. Filed: May 18, 2011

26 Counsel for Plaintiffs Cora Bucklin and Virginia Burton and Defendant Zurich American  
27 Insurance Company having met and conferred regarding proper venue of this matter, have agreed  
28

1 that this matter should be transferred to the United States District Court for the Central District of  
2 California, pursuant to 28 U.S.C. § 1404(a). Accordingly, the parties hereby stipulate as follows:

3 WHEREAS, Plaintiffs filed their First Amended Complaint on May 18, 2011 and  
4 Defendant first appeared, by filing its Answer to Plaintiff's First Amended Complaint, on June 6,  
5 2011. In its Answer, Defendant first raised its contention that the Central District of California is  
6 a more convenient forum for the litigation of the above-captioned action.

7 WHEREAS, Defendant thereafter prepared to file a Motion to Transfer Venue to the  
8 Central District of California pursuant to 28 U.S.C. § 1404(a) on the grounds that (i) Plaintiffs'  
9 claims could have been brought in that district; (ii) the convenience of the witnesses and parties  
10 strongly favors a transfer; (iii) events relevant to Plaintiffs' claims and Defendant's defenses  
11 occurred in the Central District (*i.e.* Plaintiffs were employed by Defendant in the Central  
12 District of California) and, thus, sources of proof are in the Central District; (iv) Plaintiffs  
13 themselves are located in the Central District of California; and (v) the interests of justice are  
14 furthered by such a transfer.

15 WHEREAS, prior to filing its Motion, Defendant met and conferred with Plaintiffs'  
16 counsel regarding Defendant's Motion to Transfer Venue, and the parties ultimately agreed that  
17 the venue should be transferred to the Central District of California for the convenience of the  
18 parties and witnesses.

19 NOW, THEREFORE, the parties hereby stipulate and agree, and respectfully request that  
20 the Court order, that the above-captioned action be transferred to the Central District of  
21 California on the following grounds: (i) this case could have been brought in the Central District  
22 of California; (ii) transferring the case to the Central District of California would be more  
23 convenient to witnesses than would proceeding in this Court; (iii) transferring this case to the  
24 Central District of California would be more convenient to the parties than would proceeding in  
25 this Court; and (iv) the interests of justice are furthered by such a transfer.

26 The parties agree and stipulate that, under 28 U.S.C. § 1404(a), the Central District of  
27 California is the appropriate venue for this action and agree that this action should be transferred  
28

1 to that venue. This case arises out of the Central District of California, as both Plaintiffs worked  
2 for Defendant in Woodland Hills, California and Plaintiffs reside in Los Angeles County.

3 The parties further stipulate and agree that, upon transfer, they will meet and confer as to  
4 a briefing schedule for Plaintiffs' motion for class certification that is outside of the timing  
5 required by Central District Local Rule 23-3.

6 **IT IS SO STIPULATED.**

7  
8 DATED: June 29, 2011

SEYFARTH SHAW LLP

9  
10 By /s/ Kimberly Brener

Eric M. Steinert

Andrew M. McNaught

Kimberly Brener

Attorneys for Defendant

ZURICH AMERICAN INSURANCE  
COMPANY

11  
12  
13  
14 DATED: June 29, 2011

BLUMENTHAL, NORDREHAUG &  
BHOWMIK

15  
16  
17 By /s/ Aparajit Bhowmik

Attorneys for Plaintiffs

CORA BUCKLIN and VIRGINIA L.  
BURTON

18  
19  
20  
21 **[PROPOSED] ORDER**

22  
23 **PURSUANT TO STIPULATION, IT IS SO ORDERED.** The Court hereby orders  
24 that this action be transferred to the Central District of California. No further proceedings shall  
25 be had in this Court.

26  
27 DATED: June 30, 2011



28 THE HONORABLE SUSAN ILLSTON  
UNITED STATES DISTRICT COURT JUDGE

**ATTESTATION PURSUANT TO GENERAL ORDER 45**

I, Kimberly Brener, attest that concurrence in the filing of this document has been obtained from the other signatories.

Dated: June 29, 2011

By /s/ Kimberly Brener  
Kimberly Brener